

Message Text

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ACTION EUR-12

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COME-00 DODE-00 EB-08 DOE-11 H-01 INR-10 INT-05
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SP-02 SS-15 STR-07 TRSE-00 ACDA-12 JUSE-00 EA-10
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TAGS: ENRG, EEC
SUBJECT: PARTICIPATION IN BRUNNER MARCH 10 MEETING WITH
OIL COMPANIES

REF: (A) STATE 49731 (B) BRUSSELS 3804 (C) BRUSSELS 3549

1. TEXACO'S LOCAL REPRESENTATIVE INFORMED THE MISSION
THAT HE HAS BEEN INSTRUCTED BY TEXACO NEW YORK TO INFORM
EC COMMISSIONER BRUNNER'S CABINET THAT TEXACO WILL ATTEND
THE SUBJECT MEETING AFTER ALL. HE WILL FURTHER INFORM
BRUNNER, HOWEVER, THAT BECAUSE OF POSSIBLE IMPLICATIONS
UNDER US ANTI-TRUST LEGISLATION, TEXACO WILL PARTICIPATE
IN AN OBSERVER CAPACITY ONLY AND WILL BE REPRESENTED BY
DONALD HOLLEY, A BRUSSELS-BASED ATTORNEY WITH THE
AMERICAN FIRM OF CLEARY, GOTTLEIB, STEEN AND HAMILTON.
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(HOLLEY HAS BEEN PARTICIPATING WITH A EUROPEAN ATTORNEY
ON A SPECIAL "LAWYERS' COMMITTEE" TO ADVISE BOTH THE
COMMISSION AND THE OIL COMPANIES ON ANTI-TRUST MATTERS.)
THE TEXACO REPRESENTATIVE WILL NOTE THAT, IN KEEPING WITH
THE VALUE TEXACO ATTACHES TO ITS RELATIONS WITH THE
COMMISSION, SENIOR TEXACO OFFICIALS ARE PREPARED TO COME
TO BRUSSELS FOR A BILATERAL MEETING WITH BRUNNER TO DIS-

CUSS THE COMMISSION'S PROPOSALS REGARDING RESOLUTION OF THE COMMUNITY'S PETROLEUM REFINING AND MARKETING PROBLEMS.

2. ACCORDING TO THE COMMISSION, ALL THOSE INVITED HAVE NOW AGREED TO PARTICIPATE ON MARCH 10 AT A SENIOR LEVEL (EXCEPT FOR TEXACO). THE 28 PARTICIPANTS INCLUDE THE FIVE US MAJORS, SHELL AND BP, THE FIVE SO-CALLED EUROPEAN COMPANIES WHO HAVE BEEN URGING GREATER COMMUNITY ACTION ON THE EC PETROLEUM MARKET, CONOCO, OTHER EUROPEAN OIL REFINERS WHO PRODUCE FOR THEIR OWN ACCOUNT, 5 NATIONAL ASSOCIATION OF OIL COMPANIES (FRG, UK, BELGIUM, FRANCE AND ITALY) AND THE ASSOCIATION OF OIL IMPORTERS (UPEI). ONE PETROCHEMICAL COMPANY (PHILLIPS-ICI) IS PARTICIPATING BECAUSE IT MARKETS SOME OIL PRODUCTS SURPLUS TO ITS NEEDS. IN ADDITION TO REPRESENTATIVES FROM THE COMMISSION'S ENERGY AND COMPETITION DIRECTORATE GENERALS AND BRUNNER'S CABINET, MEMBER STATES HAVE ALSO INSISTED ON SENDING OBSERVERS.

3. ALTHOUGH EACH PARTICIPANT IS SUPPOSED TO SEND ONLY TWO REPRESENTATIVES THE SIZE AND NATURE OF THE MEETING WILL PROBABLY PRECLUDE THE TYPE OF OPEN AND INFORMAL DISCUSSION WE UNDERSTAND BRUNNER WAS HOPING FOR. IN ADDITION TO REQUESTING CLARIFICATION OF THE COMMISSION'S PROPOSALS REGARDING THE EC'S REFINERY AND MARKETING LIMITED OFFICIAL USE

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SECTOR, SEVERAL PARTICIPANTS ARE EXPECTED TO READ LARGELY PREPARED STATEMENTS ON THESE PROPOSALS. ALL US AND SOME EUROPEAN COMPANIES HAVE REPORTEDLY WARNED THE COMMISSION OF THE SUBJECTS THEY CANNOT DISCUSS IN SUCH A GATHERING WITHOUT RAISING ANTI-TRUST IMPLICATIONS, AND THE COMMISSION INTENDS TO LIMIT ITSELF LARGELY TO EXPLAINING THE PROPOSALS AND SEEKING REACTIONS.

4. THE MISSION ON FEB. 28 INFORMED EC COMMISSION DIRECTOR FOR OIL AND GAS BRONDEL OF THE US POSITION ON THE MARCH 10 MEETING CONVEYED REF A. BRONDEL COMMENTED THAT, ALTHOUGH BRIEF, THESE REACTIONS WERE APPRECIATED AND WOULD BE USEFUL. HINTON

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